

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

United States of America

v.

Manuel Herrera-Rodriguez,
Jesus Soto-Beltran,
Antonio Guadalupe Arellanes-Jiminez,
Benjamin Renteria-Pazos, And
Prisciliano Rabago-Valdez.

CRIMINAL COMPLAINT

CASE NUMBER: MJ-24-04358-PCT-CDB

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

On or about the date described in Attachment A in the County of Coconino in the District of Arizona, the defendants committed the crime of Possession or Receipt of Goods Stolen from Interstate Shipment, Aid and Abet, in violation of Title 18, United States Code (U.S.C.) §§ 659 and 2, offense described as follows:

See Attachment A, Description of Count

I further state that I am a Special Agent for Homeland Security Investigations (HSI) and that this complaint is based on the following facts:

See Attachment B, Statement of Probable Cause, Incorporated by Reference Herein.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

AUTHORIZED BY: Addison Owen and Travis L. Wheeler, AUSAs

Chris Foster, SA for HSI

Name of Complainant

Chris Foster 09-27-2024

Signature of Complainant

Sworn to telephonically before me

October 1, 2024

Date

at Flagstaff, Arizona

City and State

**Camille D.
Bibles**

HONORABLE CAMILLE D. BIBLES

United States Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

Digitally signed by
Camille D. Bibles
Date: 2024.10.01
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ATTACHMENT A
DESCRIPTION OF COUNT
COUNT 1

Theft from Interstate Shipment

On August 14, 2024, in the District of Arizona, MANUEL HERRERA-RODRIGUEZ, JESUS SOTO-BELTRAN, ANTONIO GUADALUPE ARELLANES-JIMINEZ, BENJAMIN RENTERIA-PAZOS, and PRISCILIANO RABAGO-VALDEZ knowingly possessed goods and chattels, to wit: Nike Shoes, of a value in excess of \$1000.00, which had been stolen from a BNSF train while moving in interstate commerce from California to Arizona, knowing the said goods and chattels to be stolen.

All in violation of Title 18, United State Code, Sections 659 and 2.

ATTACHMENT B

STATEMENT OF PROBABLE CAUSE

I, Chris Foster, a Special Agent for Homeland Security Investigations (HSI), being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with HSI and have been so employed since December 1997. I have a Bachelor of Science in Criminal Justice from California State University Sacramento. I am a law enforcement officer of the United States, and I am empowered by law to conduct criminal investigations, make arrests, and serve search and arrest warrants.

2. As a Special Agent with HSI, your Affiant investigates criminal violations of United States law, including import and export violations, controlled substances law violations, and money laundering violations. Your Affiant has participated in hundreds of investigations involving stolen vehicle organizations, theft ring investigations, possession, manufacture, distribution, and importation of controlled substances, as well as methods used to finance drug transactions. As an HSI Special Agent, your Affiant has been trained in conducting narcotics and money laundering investigations and received specialized training concerning violations of the Controlled Substances Act contained within Title 21 of the United States Code. I am currently assigned to the HSI Flagstaff Office located in Flagstaff, Arizona, where we investigate transnational criminal organizations to include money laundering and drug trafficking organizations operating throughout the United States.

3. By virtue of my employment as a Special Agent, your Affiant has performed various tasks, which include, but are not limited to:

- a. functioning as a surveillance agent, thus observing and recording movements of persons involved in violations of United States Code as well as violations of Arizona State law;

- b. interviewing witnesses, confidential reliable informants (CIs) and sources of information (SOI) relative to the violations of United States Code as well as violations of Arizona State law;
- c. functioning as a case agent, entailing the supervision of specific investigations involving various crimes throughout the United States; and
- d. conducting complex investigations involving transnational criminal organizations committing various crimes throughout the United States.

4. I have consulted with other experienced investigators concerning the practices of transnational criminal organizations and the best methods of investigating them. In preparing this affidavit, I have conferred with other Special Agents and law enforcement officers. Furthermore, I have personal knowledge of the following facts or have learned them from the individual(s) mentioned herein.

5. Based on the below facts, your Affiant submits there is probable cause that Manuel HERRERA-RODRIGUEZ, Jesus SOTO-BELTRAN, Antonio Guadalupe ARELLANES-JIMINEZ, Benjamin RENTERIA-PAZOS, and Prisciliano RABAGO-VALDEZ committed the crime of Possession or Receipt of Goods Stolen from Interstate Shipment, Aid and Abet, in violation of Title 18, United States Code (U.S.C.) §§ 659 and 2.

BACKGROUND

6. Over the past fifteen years, several Transnational Criminal Theft Organizations have been burglarizing BNSF Railway and Union Pacific trains throughout the Southwest of the United States to include Arizona. These organizations consist primarily of Mexican citizens from the Mexican State of Sinaloa who operate out of Arizona and California, with extensive connections throughout California, Arizona, and New Mexico. The train burglaries have increased in frequency over the past two years.

7. The suspects usually scout high value containers on the BNSF railway on Eastbound trains that parallel Interstate 40 near Needles, California. Once the organization

targets a particular train of interest, they typically find a location for several train burglars to get on the train. Once on the train, the burglars open container doors while the train is moving and target merchandise to steal such as electronics, tools, and footwear. The burglars often target containers with visible high-security locks and use reciprocating saws, bolt-cutters, or similar tools to defeat the locking mechanisms. Once the burglars target a specific container that has desirable merchandise, the burglars on the train communicate with follow vehicles utilizing cellular devices, and those follow vehicles surveil the train until it stops, or the burglars will cause the train to stop to unload the freight. The suspects often cut the train braking system air hose, which causes the train to go into an emergency stop (commonly referred to as “UDE”), which is a sudden and dramatic application of all the brakes on the train. By cutting an air hose, the burglars can control when and where the train is stopped to unload the cargo they target to burglarize. This act is very dangerous and can cause a train to derail, which could ultimately cause serious injury or death to BNSF employees or citizens. The suspects have also sabotaged the train signal system by cutting the locks off signal boxes and then by cutting the control wires inside. This is also a dangerous act that creates dark areas on the rail network, requiring non-traditional train dispatching functions and extensive repairs. High-value trains travel at speeds up to 70 MPH on multiple tracks in both east and west directions. The train crews and train dispatchers rely on the signals for safe transportation.

8. Once the burglars unload the merchandise from the container that is on the train, the burglars often hide the product in fields or brush adjacent to the BNSF tracks to conceal it until it can be picked up later. The location of the stolen merchandise is then shared by the train burglars with the use of cellular devices to the surveillance crew who are following the train. The organization will then send box trucks to pick up the stolen merchandise if law enforcement is not detected. Often, the box trucks used by the organization were found to have been stolen with their Vehicle Identification Number (VIN) swapped. Once the stolen merchandise has been picked up, it is usually transported

to California where it is sold or fenced to wholesale online retailers such as third-party Amazon and eBay resellers.

9. A violation of Title 18 United States Code 659, is deemed to have been committed not only in the district where the violation first occurred, but also in any district in which the defendant may have taken or been in possession of the said money, baggage, goods, or chattels.

CURRENT INVESTIGATION

10. In August of 2024, a BNSF Special Agent told your Affiant the following information:

- a. On the evening of August 13, 2024, at approximately 11:27 p.m., BNSF eastbound train QLACLPC613L stopped west of Kingman, Arizona, near railroad milepost 531.7 for approximately twelve (12) minutes. During this time, BNSF Air Support was conducting aerial surveillance of the stopped train. At approximately 11:30 p.m., BNSF Air Support observed several suspects actively burglarizing a container on the train, which was recorded by the Air Support's FLIR onboard camera system.
- b. While the train was being burglarized, the train began moving eastbound at a slow speed, away from the initial burglary site. As the train traveled east, it encountered air flow issues and was forced to stop approximately 10 miles east of the initial burglary location. It was later discovered six angle cocks had been closed rendering the BNSF train inoperable. It is believed that the suspects that were on the train turned the angle cocks to stop the train.
- c. Arizona Department of Public Safety (DPS) Troopers and Mojave County Sheriff's Office (MCSO) Deputies responded to assist with the investigation. When law enforcement arrived, they encountered four vehicles parked near the BNSF train. One vehicle, a Chevy Tahoe, attempted to flee from the scene. However, the Chevy Tahoe drove off an embankment and the vehicle was disabled. All the occupants fled on foot into the desert and

when law enforcement arrived at the crash site, all four doors of the Tahoe were open. The three additional vehicles were unoccupied and identified as an additional Chevrolet Tahoe, a Chevrolet box truck and a large panel Dodge Ram van. The three vehicles were subsequently towed for safe keeping and it appeared the vehicles contained burglary tools and backpacks.

- d. BNSF SA Lance Cencelewski arrived on scene and began checking containers on the BNSF train. BNSF SA Lance Cencelewski located five compromised containers: HLB3273868, HASU4883260, CAAU5050507, SEKU4474737, and MRKU2606407. All five containers contained Nike shoes and all five containers had open doors and were missing merchandise from within the containers.
- e. On August 16, 2024, at approximately 4:45 p.m., BNSF SA Porter obtained surveillance video footage from BNSF Air Support's onboard FLIR camera, capturing the initial burglary, and observed the following details:
 1. At approximately 11:30 p.m., the BNSF FLIR camera captured four suspects burglarizing a container on the BNSF train.
 2. The BNSF FLIR camera captured two suspects in the upper container were observed throwing boxes out of the container, onto the ground.
 3. The BNSF FLIR camera captured two additional suspects on the ground that were rearranging the boxes from the railroad tracks and were concealing the boxes in the nearby bushes.
 4. At about 11:39 p.m., the BNSF FLIR camera captured the BNSF train start to move eastbound.
 5. The BNSF FLIR camera captured the two suspects in the upper container remain in the container as the BNSF train traveled eastbound and surveillance was not maintained on the BNSF train.

6. The BNSF FLIR camera captured the two suspects on the ground continue rearrange boxes from near the BNSF train tracks into the adjacent bushes for what appeared to be concealment.
7. The BNSF FLIR camera captured that after the boxes were moved from the BNSF train tracks and concealed in the bushes, the two suspects began walking away from the burglary site into the desert then towards Interstate 40.
8. The BNSF FLIR camera captured the two suspects walk to Interstate 40, hide for a brief moment, and then run northbound across eastbound Interstate 40. The BNSF FLIR camera captured the two suspects hide in the median for a short time, then go across westbound Interstate 40.
9. The BNSF FLIR camera captured the suspects concealing themselves on the side of an embankment along westbound Interstate 40. The BNSF FLIR camera captured the two suspects remained on the side of the embankment for approximately twenty (20) minutes.
10. The BNSF FLIR camera captured a pickup truck stopped on the westbound lanes of Interstate 40 and both suspects left the embankment where they were hiding and jump over the guard rail and get into the truck.
11. The BNSF FLIR camera captured the truck as it drove westbound on Interstate 40 where it exited the Interstate and stopped at the Flying J Travel Center located at 10835 South Double R Drive, Yucca, Arizona.
12. The BNSF FLIR camera captured the truck at the fuel pumps in the parking lot. The BNSF FLIR camera captured the driver of the

truck as the only occupant to exit the truck.

13. The BNSF FLIR camera captured the truck as it drove away from the fuel pumps, exit the parking lot, and the truck was stopped by Arizona DPS and all occupants were arrested.

- f. The truck was identified as a black salvaged titled 2020 Dodge ram pickup bearing expired California license plate 84850V3 with no known registered owner.
- g. The driver was identified as Manuel HERRERA-RODRIGUEZ.
- h. The passengers were identified as Jesus SOTO-BELTRAN and Antonio Guadalupe ARELLANES-JIMINEZ.
- i. BNSF SA Lance Cencelewski went to the exact location where SOTO-BELTRAN and ARELLANOS-Jiminez were observed rearranging boxes and learned that there were five hundred eighty-four (584) Nike master cases of stolen Nike shoes along with sixty-five (65) pairs of unboxed Nike shoes that were stolen from one of the five containers listed above. BNSF SA Cencelewski determined there four thousand five hundred eighty-nine (4,589) pairs of Nike shoes with an approximately manufacturer's suggested retail price of approximately \$440,950.
- j. On the afternoon of August 14, 2024, at approximately 4:27 p.m., the same BNSF train QLACLPC613L listed above, stopped near Mesita, New Mexico, near railroad milepost 60 for approximately nine minutes. After nine minutes, BNSF train QLACLPC613L departed the location and continued traveling eastbound.
- k. A BNSF train crew, traveling behind the BNSF train QLACLPC613L, drove by and reported seeing many cardboard boxes piled near the railroad

tracks near railroad milepost 60 where QLACLPC613L had been stopped. The train crew also reported seeing two male suspects trying to hide in the bushes, near the cardboard boxes, as they passed by.

- l. BNSF SA Augie Oliveras responded to the burglary location approximately thirty (30) minutes after the initial report and located approximately one hundred (100) master cases of Nike shoes still in the original shipping boxes that were stolen from one of the five containers listed above from BNSF Train QLACLPC613L.
- m. The Nike master cases were piled in two locations, both within a few hundred feet of another. The Nike master cases in one location had Juniper branches placed on top of the Nike master cases, in an attempt to conceal them.
- n. When SA Oliveras arrived on scene, he conducted a perimeter search on foot in the area and did not locate any suspects at that time. SA Oliveras then launched his BNSF issued drone to get an aerial view, due to the area having heavy foliage and numerous locations for concealment. Within minutes of launching the drone, BNSF SA Oliveras observed a subject, later identified as Benjamin RENTERIA-PAZOS, hiding in the brush attempting to conceal himself with several Nike master cases within the bushes. RENTERIA-PAZOS was taken into custody without issue.
- o. After RENTERIA-PAZOS was taken into custody, SA Oliveras continued scanning the immediate area with his drone. SA Oliveras located a second subject, later identified as Prisciliano RABAGO-Valdez, laying down in some bushes, near where RENTERIA-PAZOS was located. RABAGO-VALDEZ was then taken into custody without issue.
- p. When RENTERIA-PAZOS and RABAGO-VALDEZ were detained, both subject's hands and clothing were soiled in dirt and grease which is

consistent with climbing on and off BNSF train cars and containers. RENTERIA-PAZOS had a pair of gloves in his right rear pocket when taken into custody.

- q. When RENTERIA-PAZOS and RABAGO-VALDEZ were taken into custody, both were wearing black and white Nike shoes. The Nike shoes they were wearing did not appear to be dirty and soiled as the clothing they were wearing. The Nikes shoes being worn by RENTERIA-PAZOS and RABAGO-VALDEZ appeared to be newer and clean. It was later discovered the style of Nike shoes they were wearing matched the same style of Nike shoes recovered in Kingman, Arizona, during the earlier incident from this same BNSF train QLACLPC613L.
- r. It was later learned that eighty-nine (89) master cases of Nike shoes were recovered from the burglary sites near Mesita, New Mexico, along with thirteen (13) individual Nike shoe boxes for a total recovery of five hundred forty-seven (547) pairs of Nike shoes. These recovered Nike shoes have a manufacturer's suggested retail value of approximately \$68,060.

11. Your Affiant conducted Department of Homeland Security import research related to container HLBU3273868, HASU4883260, CAAU5050507, SEKU4474737, and MRKU2606407 and learned the following:

- a. In July of 2024, container HLBU3273868 was shipped on the Motor Vessel ONE COMMITMENT 65E from east coast port, India, and arrived at the Los Angeles, California, Seaport on July 27, 2024.
- b. On July 16, 2024, container HASU4883260 was shipped on the Motor Vessel GEORG MAERSK 428N from Hong Kong, and arrived at the Los Angeles, California, Seaport on August 5, 2024.

- c. On July 16, 2024, container CAAU5050507 was shipped on the Motor Vessel GEORG MAERSK 428N from Hong Kong, and arrived at the Los Angeles, California, Seaport on August 5, 2024.
- d. On July 16, 2024, container SEKU4474737 was shipped on the Motor Vessel GEORG MAERSK 428N from Hong Kong, and arrived at the Los Angeles, California, Seaport on August 5, 2024.
- e. On July 21, 2024, container MRKU2606407 shipped on the Motor Vessel GEORG MAERSK 428N from Xiamen, China, and arrived at the Los Angeles, California, Seaport on August 5, 2024.
- f. After the container's arrival, they were transferred to BNSF for transportation along the Transcon to Chicago Illinois.

Manuel HERRERA-RODRIGUEZ

12. Your Affiant conducted law enforcement checks and learned HERRERA-RODRIGUEZ received Lawfully Admitted for Permanent Residence status in 2021.

Jesus SOTO-BELTRAN

13. Your Affiant conducted law enforcement checks and learned SOTO-BELTRAN is a Mexican citizen and is present in the United States illegally.

Antonio Guadalupe ARELLANES-JIMINEZ

14. Your Affiant conducted law enforcement checks and learned ARELLANES-JIMINEZ is a Mexican citizen from Caborca, Sonora, Mexico, and is present in the United States illegally. Your Affiant learned that on March 11, 2024, ARELLANES-JIMINEZ along with four other suspects were stopped by the Kingman Police Department and inside the vehicle were burglary tools, such as bolt cutters. During the same event, ARELLANES-JIMINEZ along with the four other suspects were turned over to United States Border Patrol.

Prisciliano RABAGO-VALDEZ

15. Your Affiant conducted law enforcement checks and learned RABAGO-VALDEZ appears to be a Mexican citizen from Sinaloa, Mexico, and is present in the United States illegally.

Benjamin RENTERIA-PAZOS

16. Your Affiant conducted law enforcement checks and learned RENTERIA-PAZOS is a Mexican citizen from Sinaloa, Mexico, and is present in the United States illegally.

CONCLUSION

17. For these reasons, your Affiant submits that there is probable cause to believe Manuel HERRERA-RODRIGUEZ, Jesus SOTO-BELTRAN, Antonio Guadalupe ARELLANES-JIMINEZ, Benjamin RENTERIA-PAZOS, and Prisciliano RABAGO-VALDEZ committed the crime of Possession or Receipt of Goods Stolen from Interstate Shipment, Aid and Abet, in violation of Title 18, United States Code (U.S.C.) §§ 659 and 2.

18. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Chris Foster 09-27-2024

CHRIS FOSTER
Special Agent
Homeland Security Investigations

Sworn to and subscribed electronically this 1 day of October, 2024.

Camille D. Bibles

Digitally signed by Camille D.
Bibles
Date: 2024.10.01 14:14:38 -07'00'

HONORABLE CAMILLE D. BIBLES
United States Magistrate Judge